

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA, ET AL.,
Plaintiffs,
v.
AMERICAN AIRLINES GROUP INC. and
JETBLUE AIRWAYS CORPORATION,
Defendants.

Civil Action No. 1:21-cv-11558-LTS

**DEFENDANTS' UPDATE TO MOTION TO SEAL TRIAL EXHIBITS AND REQUEST
FOR COURT TO ENTER SUPPLEMENTAL ORDER
SEALING ADDITIONAL EXHIBITS WITH NO OBJECTION BY PLAINTIFFS**

Defendants provide the following update to their September 9, 2022 Motion to Seal Trial Exhibits (Dkt. No. 159, the “Motion to Seal”), the Parties’ September 23, 2022 Joint Report Regarding Defendants’ Motion to Seal Trial Exhibits (Dkt. No. 243, the “Joint Report”), and the Parties’ Update to the Joint Report Regarding Defendants’ Motion to Seal Trial Exhibits (Dkt. No. 245, the “Update to the Joint Report”). The Motion to Seal, the Joint Report, and the Update to the Joint Report included Appendix A, which identified trial exhibits for which Plaintiffs disputed Defendants’ confidentiality designations, and Appendix B, which identified trial exhibits for which Plaintiffs did not object to Defendants’ confidentiality designations.¹ The Court has entered orders

¹ The Joint Report included Supplemental Appendix B identifying additional exhibits for which the Parties were able to resolve their differences between the filing of the Motion to Seal and the filing of the Joint Report. The Update to the Joint Report included a revised Supplemental Appendix B which replaced and superseded the version of Supplemental Appendix B attached to the Joint Report.

sealing the trial exhibits included on Appendix B to these prior filings (September 19, 2022 Transcript at 31:5-21; Dkt. No. 249).²

Since filing the Update to the Joint Report, the Parties continued to confer throughout trial and have resolved all of their remaining differences as to the confidentiality of the trial exhibits, either by Defendants withdrawing or narrowing their confidentiality designations, or by Plaintiffs withdrawing their objections to Defendants' confidentiality designations. The Parties have also successfully reached agreement as to additional exhibits for which Defendants added confidentiality designations during trial. Accordingly, Defendants submit the attached Second Supplemental Appendix B identifying additional trial exhibits for which Plaintiffs do not object to Defendants' redaction or sealing requests.

Defendants respectfully request that the Court enter a supplemental order granting the Motion to Seal as to the exhibits identified in Second Supplemental Appendix B.

Dated: October 27, 2022

Respectfully submitted,

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² At the beginning of the trial day on October 27, 2022, the Court also entered an order sealing the Parties' expert reports that were admitted into evidence on October 26, 2022.

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document, which was filed with the Court through the CM/ECF system, will be sent electronically to all registered participants as identified on the Notice of Electronic Filing.

/s/ Matthew A. McGee
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